

REPORT - PLANNING COMMISSION MEETING
October 10, 2002
October 24, 2002

Project Name and Number: Lu Garage (PLN2003-00053)

Applicant: Victor Lu

Proposal: To consider a Minor Amendment to P-90-9(R) for the construction of a 1,164 square foot detached garage and workshop.

Recommended Action: Approve, subject to Conditions of Approval

Location: 4661 Saint Francis Terrace, Mission San Jose Planning Area

Assessor Parcel Number(s): 519-1719-008-00

Area: 5.77AC

Owner: Victor Lu

Agent of Applicant: Sy-Cheng Tsai, Architect

Consultant(s): Sy-Cheng Tsai, T Square Consulting Group, Inc.

Environmental Review: This project is categorically exempt from CEQA under Section 15303(e) as it relates to the construction of an accessory structure.

Existing General Plan: Hill Face Open Space

Existing Zoning: P-90-9(R), Planned District (Development Reserve Overlay)

Existing Land Use: Single-family Residence

Public Hearing Notice: Public hearing notification is applicable. A total of 10 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Avalon Heights Terrace, Saint Francis Terrace and Montecito Terrace. The notices to owners and occupants were mailed on September 16, 2002. A Public Hearing Notice was delivered to The Argus on September 11, 2000 and published on September 16, 2002.

Background and Previous Actions: On April 11, 1991, the Planning Commission recommended the City Council approve Preliminary and Precise Planned District and a Preliminary Grading Plan for 275 single-family detached residential dwelling units and associated open space for the "Avalon Homes" development located generally in the hill area east of I-680, between the southern terminus of Rancho Higuera Road and the northern terminus of Green Valley Road. On May 7, 1991, the City Council approved Avalon Heights Development and rezoned the entire site to P-90-9(R). The development consists of 275 semi-custom, single-family detached residences on approximately 240 acres of a 1,704-acre site. Included within the 275 residences were seven lots designated for custom residences.

On August 14, 1997, the Planning Commission approved P-90-9(O), a minor amendment to P-90-9(R), to allow the construction of a 11,153 square foot residence with a 1,152 square foot attached garage and two gazebos on the 5.77-acre site in question. The site is one of the seven custom lots approved under the planned district. The design of the house was described as "a residence that generally carried the selected architectural style of Spanish

Eclectic". The residence was constructed behind an existing knoll that blocks most views of the residence from the areas below it.

On October 11 2002, at staff's request for additional time to review some necessary modifications, the Planning Commission approved a continuance of this project.

Architecture/Design: The applicant requests approval of a minor amendment to P-90-9 (R) for a 1,164 square foot detached accessory structure located east of the existing residence at 4661 Saint Francis Terrace. According to the applicant, the proposed design of the detached structure, including its materials and colors, will match that of the existing residence on the site.

The 1,164 square foot detached structure consists of a garage and workshop. The proposed structure will be located approximately 77 feet from the principal residence, separated by an existing motor court. The garage, approximately 676.5 square feet, is capable of providing an additional three (3) covered parking spaces for the site. The applicant also proposes a workshop and half bath (tub removed) at the rear 487.5 square foot portion of the detached structure. The structure is approximately twelve (12) feet in height as measured from the existing grade for the site to the structure's roof peak (or ridge). Only minimal grading will be necessary for the proposed project. The applicant is proposing to use materials and colors identical to that of the existing residence, such as tiles in a "Monier Villa" color; stucco finished walls painted a "San Simeon" color and window trim a "Meadowbrook" color. These colors, as previously approved by the Planning Commission for the existing residence, will blend the proposed structure into the hillside setting.

The proposed structure will be located in area that gradually slopes down two feet (from 747 feet to 745 feet above mean sea level) to the southeast. Initially, the applicant proposed a finished building pad elevation at 747 feet above mean seal level with the incorporation of a pony wall of about 3 feet in height. The previously proposed structure did not fit with the existing topography and the height of the building (15 feet) did not conform with the "Development Policy for Hill Area" as adopted by City Council in March of 1990. Staff, therefore, worked with the applicant to redesign the proposed structure to conform to those adopted policies. The applicant redesigned the proposed structure to fit with the site's existing topography by reducing the building's mass size (by 100 square feet) and stepping the building and roofline to reflect the slope of the land. Additionally, the structure was relocated a foot away from the 30 % slope line as indicated on the plans.

The redesign of the proposed detached structure is consistent with the existing residence and complies with the Hill Area policies for an accessory structure. Additionally, staff finds that the proposed location of the detached structure is appropriate because the structure is designed to step with the existing grade and is located entirely, tucked into the hill on the back (east) side of the lot.

Enclosures: Exhibit "A" (Site Plan, Floor Plan and Elevations)

Exhibits: Exhibit "A" (Site Plan, Floor Plan and Elevations)
Exhibit "B" (Conditions of Approval)
Exhibit "C" (Color and Material Sample Board)

Recommended Actions:

1. Hold public hearing.
2. Find PLN2003-00053 is in conformance with the relevant provisions contained in the City's existing General Plan, Zoning Ordinance and Hill Area development policies.
3. Approve PLN2003-00053, as shown in Exhibit "A" and on the color and material board (Exhibit "C"), subject to the Conditions of Approval set forth in Exhibit "B".

Exhibit "B"
Lu Garage (PLN2003-00053)
Conditions of Approval

Conditions:

Prior to building permit issuance

- A-1 The project shall conform to Exhibit "A", all of the applicable conditions of approval for P-90-9, and all the conditions of approval set forth herein.
- A-2 The applicant shall submit appropriate plans to the Development Organization for review to ensure compliance with all City codes and policies. Any changes or modifications required through the Development Organization review process shall be incorporated into the project.
- A-3 Minor revisions of the site plan, building location and architectural details may be permitted within the overall context of the approved design concept, subject to the approval of the Assistant City Manager during the Development Organization review process.
- A-4 Colors and materials shall be as represented on Exhibit "C" (Color and Materials Board) unless otherwise noted below. Any requested changes to the approved materials and colors shall be submitted to staff for review and approval. Material samples and colors shall be submitted along with a written description of the requested change.
- A-5 The project shall conform to the City's Hazardous Fire Area requirements and all other applicable federal, state and local building and fire code requirements.
- A-6 An approved automatic fire extinguisher system (AFES) shall be installed throughout the detached garage, subject to review and approval of staff during the Development Organization review process.
- A-7 As indicated in the plans, the garages doors shall be recessed at least 6 inches from the building's façade.
- A-8 The property owner(s) shall agree to and record a written guarantee in the form of a "Deed Restriction" provided by the City, which ensures that the detached garage and workshop is not to be used as a habitable dwelling on the lot. Such undertaking shall be incumbent upon the applicant to obtain the necessary signatures required for execution of the Deed Restriction and cause it to be recorded in the office of the Alameda County Recorder.

Prior to forming and framing:

- B-1 The project architect/ engineer shall submit a letter to the City certifying that the finished pad and floor elevations are consistent with the approved plans, subject to the review and approval of Development Organization staff.

During Construction:

- C-1 The property owner shall be responsible for litter control and sweeping of all paved surfaces. All on-site storm drains shall be cleaned immediately before the start of the rainy season beginning on October 15 each year, subject to the review of the Building/ Public Works Inspector.
- C-2 The property owner shall be made aware of the educational materials on storm water pollution prevention (as furnished by the City).

C-3 Any vehicle or equipment washing/ steam cleaning must be done at an appropriately equipped facility which drains to the sanitary sewer. Outdoor washing must be managed in such a way that there is no discharge of soaps, solvents, cleaning agents or other pollutants to the storm drains. Wash water should discharge to the sanitary sewer, subject to review and approval of the Union Sanitary District.

C-4 Construction activities shall be limited to the following hours of operation:

7 a.m. to 7 p.m. Monday through Friday

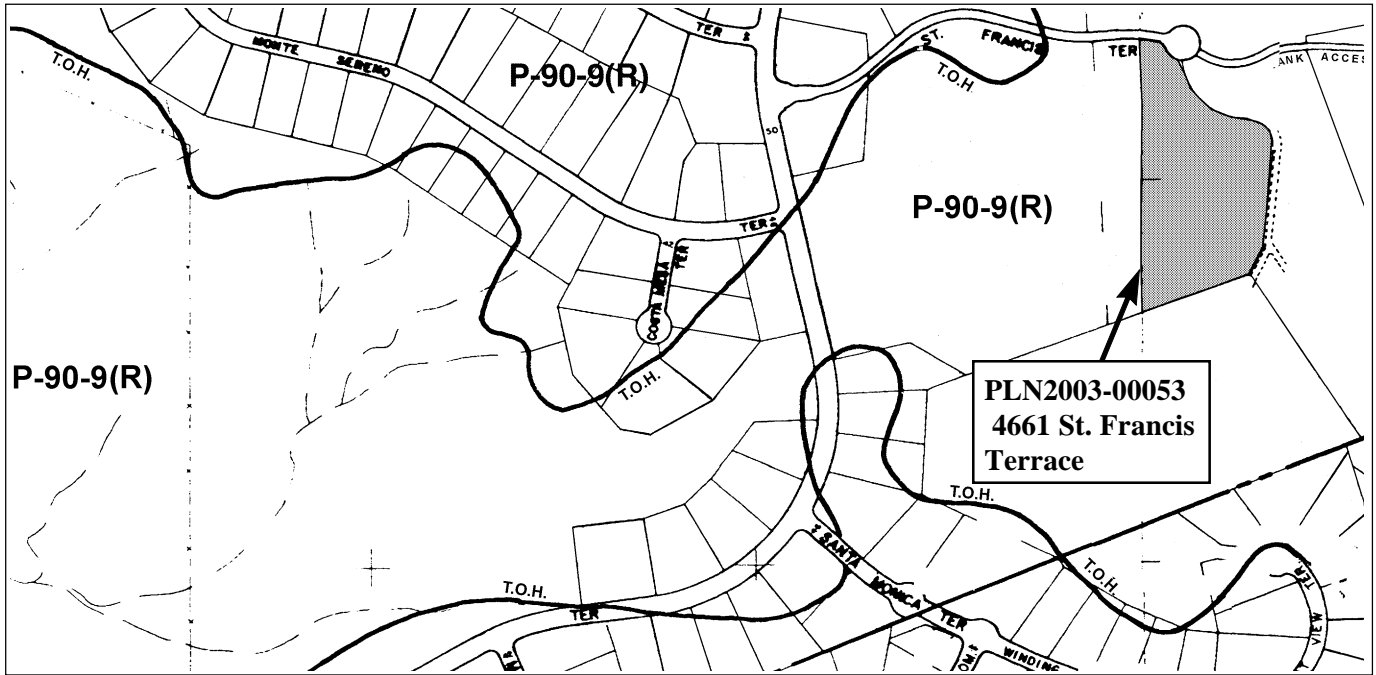
9 a.m. to 6 p.m. on Saturday

Failure to comply with the above-mentioned hours of operation will result in withholding of inspections.

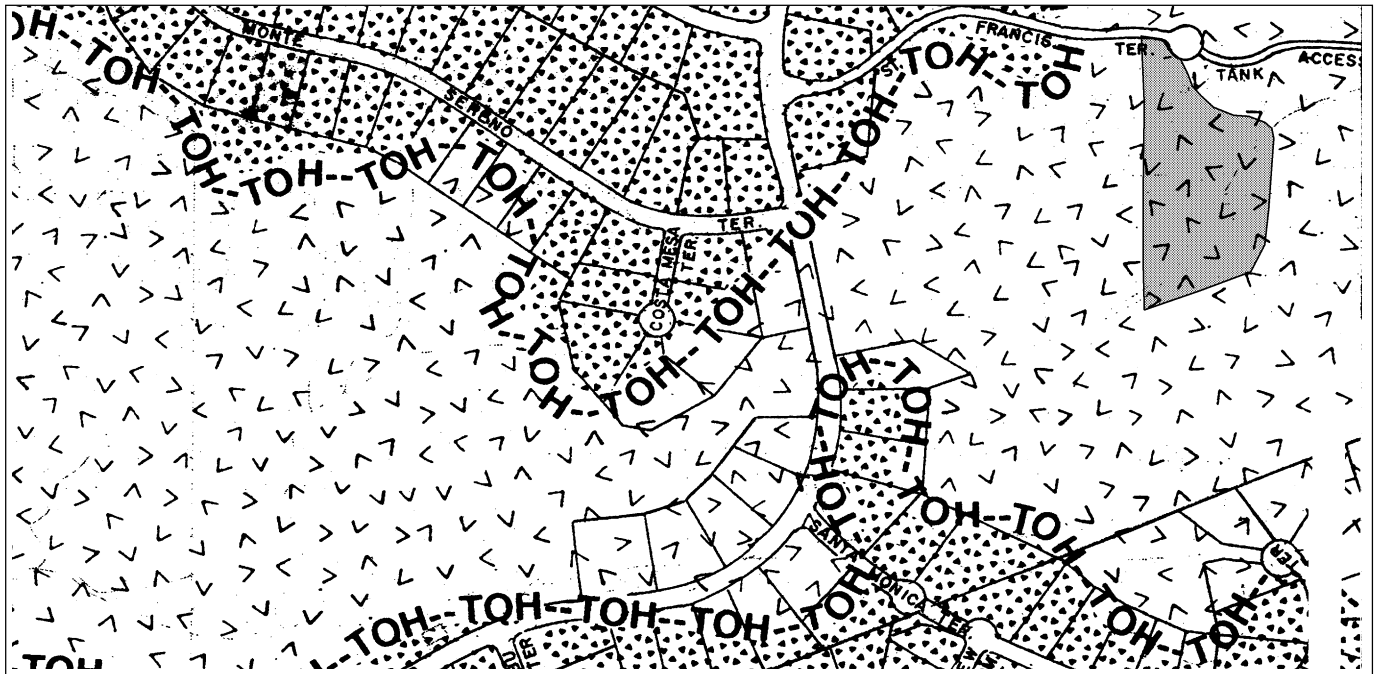
Prior to release of building for occupancy:

D-1 The project architect/ engineer shall submit a letter to the City certifying the building has been constructed in conformance with the approved architectural plan, subject to the review and approval Development Organization staff.

INFORMATIONAL



Existing Zoning



Existing General Plan

Project Number: PLN2003-00053 (PD Minor Amendment)
Project Name: Lu Residence Garage
Project Description: To consider a Minor Amendment to P-90-9(R) for the construction of a 1,259 sq. ft detached garage on property located at 4661 St. Francis Terrace in the Mission San Jose Planning Area.

Note: Prior arrangements for access are not required for this site.

